




Basic information	
2025/0132(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Application of the 'safe third country' concept Amending Regulation 2024/1348 2016/0224A(COD) Subject 7.10.06 Asylum, refugees, displaced persons; Asylum, Migration and Integration Fund (AMIF)	

Key players				
European Parliament	Committee responsible		Rapporteur	Appointed
	LIBE	Civil Liberties, Justice and Home Affairs	DÜPONT Lena (EPP)	22/09/2025
		Shadow rapporteur STRADA Cecilia (S&D) LEGGERI Fabrice (PFE) KANKO Assita (ECR) KELLER Fabienne (Renew) MARQUARDT Erik (Greens /EFA) SALIS Ilaria (The Left) ZAJĄCZKOWSKA-HERNIK Ewa (ESN)		
Council of the European Union				
European Commission	Commission DG		Commissioner	
	Migration and Home Affairs		BRUNNER Magnus	

Key events			
Date	Event	Reference	Summary
20/05/2025	Legislative proposal published	COM(2025)0259 	Summary
10/07/2025	Committee referral announced in Parliament, 1st reading		
03/12/2025	Vote in committee, 1st reading		

03/12/2025	Committee decision to open interinstitutional negotiations with report adopted in committee		
09/12/2025	Committee report tabled for plenary, 1st reading	A10-0255/2025	
15/12/2025	Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 71)		
17/12/2025	Results of vote in Parliament		
17/12/2025	Committee decision to enter into interinstitutional negotiations confirmed by plenary (Rule 71 - vote)		
27/01/2026	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	PE782.483 GEDA/A/(2026)000132	
10/02/2026	Decision by Parliament, 1st reading	T10-0026/2026	Summary
10/02/2026	Results of vote in Parliament		
23/02/2026	Act adopted by Council after Parliament's 1st reading		
24/02/2026	Final act signed		
26/02/2026	Final act published in Official Journal		

Technical information

Procedure reference	2025/0132(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Amending Regulation 2024/1348 2016/0224A(COD)
Legal basis	Treaty on the Functioning of the European Union TFEU 078-p2
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/10/02924



Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE778.391	17/10/2025	
Amendments tabled in committee		PE779.510	06/11/2025	
Committee report tabled for plenary, 1st reading/single reading		A10-0255/2025	09/12/2025	
Text agreed during interinstitutional negotiations		PE782.483	18/12/2025	
Text adopted by Parliament, 1st reading/single reading		T10-0026/2026	10/02/2026	Summary

Council of the EU

Document type	Reference	Date	Summary
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Coreper letter confirming interinstitutional agreement	GEDA/A/(2026)000132	19/12/2025		
Draft final act	00068/2025/LEX	19/02/2026		
European Commission				
Document type	Reference	Date	Summary	
Legislative proposal	COM(2025)0259 	20/05/2025	Summary	
Document attached to the procedure	SWD(2025)0600 	20/05/2025		
Commission response to text adopted in plenary	SP(2026)03-20	20/03/2026		
National parliaments				
Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	IT_CHAMBER	COM(2025)0259	31/07/2025	
Contribution	NL_SENATE	COM(2025)0259	03/10/2025	

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

Meetings with interest representatives published in line with the Rules of Procedure

Rapporteurs, Shadow Rapporteurs and Committee Chairs

Transparency				
Name	Role	Committee	Date	Interest representatives
KELLER Fabienne	Rapporteur	LIBE	28/10/2025	Directeur général de l'OFPPRA
KELLER Fabienne	Rapporteur	LIBE	21/10/2025	Chef de cabinet de du Commissaire aux affaires intérieures et migrations
KELLER Fabienne	Rapporteur	LIBE	15/10/2025	Directeur général de l'OFPPRA, et la cheffe de la division des affaires juridiques européennes et internationales de l'OFPPRA
KELLER Fabienne	Rapporteur	LIBE	02/10/2025	Directeur du Centre de connaissances sur l'asile sur les textes migratoires
STRADA Cecilia	Shadow rapporteur	LIBE	03/09/2025	European Council on Refugees and Exiles
STRADA Cecilia	Shadow rapporteur	LIBE	23/07/2025	European Council on Refugees and Exiles

Application of the 'safe third country' concept

2025/0132(COD) - 20/05/2025 - Legislative proposal

PURPOSE: to facilitate the application of the safe third country concept with a view to accelerating asylum processes.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: the safe third country concept (STC) and asylum procedure are governed by EU law under the Asylum Procedure Regulation (EU) 2024/1348 which established a common procedure for granting and withdrawing international protection in the Union. The Commission has reviewed the various elements of the concept of safe third country which led to the conclusion that there was scope for **improving the applicability of the safe third country concept** while preserving the legal safeguards for applicants and ensuring the respect of fundamental rights.

Under EU law, third countries can be considered safe when they fulfil a number of conditions, such as protection against refoulement, the absence of real risk of serious harm and of threats to life and liberty on account of race, religion, nationality, membership of a social group or political opinion, as well as the possibility to request and receive effective protection.

Without EU-level action, Member States would continue to apply the STC concept in a **fragmented manner**, leading to inconsistencies in legal interpretation and procedural safeguards. Diverging national approaches would create legal uncertainty, increase litigation risks, and undermine the uniform application of asylum rules across the Union. A lack of coordinated action would also hinder fair burden-sharing among Member States and weaken the EU's ability to engage effectively with third countries on migration matters. By acting at the EU level, this proposal ensures **harmonisation, legal certainty, and procedural safeguards**, while providing Member States with greater flexibility to implement the STC concept in a legally sound and operationally effective manner.

CONTENT: this Commission proposal aims to make a **targeted amendment to the Asylum Procedure Regulation 2024/1348** aimed at making the application of the STC concept more flexible for Member States. The proposal maintains the optional nature of the application of the STC concept. The new procedures should be governed by the same rules, regardless of the Member State applying them, to ensure equity in the treatment of the applicants, third-country nationals or stateless persons subject to them, as well as clarity and legal certainty for the individual.

The objective of lifting some of the obstacles to the effective application of the STC concept calls for an EU framework, which is necessary to ensure a consistent and coherent application of the STC concept across Member States.

More specifically, the proposal makes the following changes to the conditions under which the concept can be applied:

- a **connection** between the applicant and the safe third country will no longer be mandatory. Member States may choose to apply the safe third country concept where there is a connection as defined under national law;
- **transit** through a safe third country before reaching the EU can now also be considered as a sufficient link to apply the safe third country concept;
- when there is no connection or transit, the concept can be applied if there is an **agreement or arrangement with a safe third country**. Such agreement or arrangement will ensure that there is an examination of the request for effective protection in the safe third country, so that applicants can receive protection if justified. This option will not apply to **unaccompanied minors**;
- to reduce procedural delays and prevent abuse, the Commission proposes that **appeals** against inadmissibility decisions based on the safe third country concept will **no longer have an automatic suspensive effect**.

In addition, the proposal requires Member States to inform the Commission and other Member States before concluding agreements or arrangements with safe third countries. This will allow the Commission to monitor that these agreements or arrangements fulfil the conditions set out in EU law.

Application of the 'safe third country' concept

2025/0132(COD) - 26/02/2026 - Final act

PURPOSE: to revise the conditions for applying the concept of a safe third country.

LEGISLATIVE ACT: Regulation (EU) 2026/463 of the European Parliament and of the Council amending Regulation (EU) 2024/1348 as regards the application of the concept of safe third country.

CONTENT: along with the [regulation](#) establishing the first EU-wide list of safe countries of origin, this regulation constitutes a **revision of the concept of a safe third country**, which will offer Member States greater flexibility in rejecting asylum applications as inadmissible. These measures are important for the implementation of the EU Pact on Migration and Asylum.

The safe third country concept allows EU Member States to reject an asylum application as inadmissible (without examining its substance) when asylum seekers could have sought and, if eligible, received international protection in a non-EU country that is considered safe for them.

This regulation amending Regulation (EU) 2024/1348 **broadens and clarifies** the grounds for declaring an application inadmissible on the basis of this concept. It stipulates that Member States may choose to apply the safe third country concept in the following **three situations**:

(i) there is a **connection** between the applicant and the third country concerned on the basis of which it would be reasonable for him or her to go to that country;

(ii) the applicant has **transited** through the third country concerned on the way to the Union; or

(iii) there is an **agreement or arrangement** with the third country at bilateral, multilateral or European level for the admission of asylum seekers, this option not applying to unaccompanied minors.

The regulation specifies that the connection between the applicant and the third country could be considered established in particular where members of the applicant's family are present in that third country, where the applicant has settled or stayed in that third country, or where the applicant has linguistic, cultural or other similar ties with that third country.

In view of the situation of vulnerability of **unaccompanied minors** and of the need for targeted support, the concept of safe third country should be applied to unaccompanied minors only where a connection with, or transit through, the third country concerned can be established and the conditions set out in Regulation (EU) 2024/1348 are fulfilled. Member States should ensure that the best interests of the child are a primary consideration in all decisions concerning minors. Member States should also take due account of the principle of family unity when applying the concept of safe third country.

ENTRY INTO FORCE: 27.2.2026.

Application of the 'safe third country' concept

2025/0132(COD) - 10/02/2026 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 396 votes to 226, with 30 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) 2024/1348 as regards the application of the 'safe third country' concept.

Parliament adopted its position at first reading by amending the proposal as follows:

Safe third country concept

According to the amended text, the concept of a safe third country may apply when one of the following conditions is met:

- there is a **connection** between the applicant and the third country concerned on the basis of which it would be reasonable for him or her to go to that country;

- the applicant has **transited** through the third country concerned on the way to the Union; or

- there is an **agreement or arrangement** with the third country at bilateral, multilateral or European level for the admission of asylum seekers, this option not applying to unaccompanied minors.

Connection

The amended text specifies that the connection between the applicant and the third country could be considered established in particular where members of the applicant's family are present in that third country, where the applicant has settled or stayed in that third country, or where the applicant has linguistic, cultural or other similar ties with that third country.

Transit through a third country

For the purposes of this regulation, transit through a third country could include a situation where an applicant has passed through or stayed on the territory of a third country on the way to the Union, or where the applicant has been at the border or in a transit zone of a third country, where that applicant has had the possibility to request effective protection from the authorities of the third country concerned.

Agreement or arrangement at EU level

Member States should also have the possibility to apply the concept of safe third country on the basis of an agreement or an arrangement, regardless of its formal designation, concluded by the Union or by the Member States with the third country concerned in a manner conducive to legal certainty and transparency, provided that the agreement or arrangement concerned contains provisions requiring the examination of the merits of any requests for effective protection made in that third country by applicants covered by that agreement or arrangement.

Where the Commission enters into negotiations for an agreement on behalf of the Union with a third country with a view to concluding an agreement at Union level, it should take any existing bilateral or multilateral agreements between the Member States and the same third country into account in the course of the negotiations, including the potential impact of the Union-level agreement on those bilateral or multilateral agreements and on the Member States' cooperation with that third country in the field of migration.

An agreement concluded by the Union and a third country falling within the scope of the regulation, should take precedence over any bilateral or multilateral agreements or arrangements concluded between individual Member States and the same third country, in so far as their provisions are incompatible with those of that Union-level agreement.

Right to remain in the territory

To enhance procedural efficiency, the applicant should not have an automatic right to remain on the territory of a Member State for the purpose of an appeal procedure against a decision on inadmissibility taken on the basis of the concept of safe third country. In addition, the applicant should not have an automatic right to remain on the territory of a Member State for the purpose of an appeal procedure against a decision on inadmissibility taken on the basis that a Member State other than the Member State in which the appeal is lodged has granted the applicant international protection.